

SENATE BILL 415

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2000 Regular Session
(01r0847)

ENROLLED BILL
-- Judicial Proceedings/Judiciary --

Introduced by **Senators Hoffman, Stone, and Kelley Kelley, and Forehand**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Sexual Offenses - Juvenile Justice Facilities and Licensed Institutions**

3 FOR the purpose of making it a misdemeanor for an employee of the Department of
4 Juvenile Justice or of a licensee of the Department to engage in certain sexual
5 activity with an individual ~~who receives services at~~ confined in certain
6 institutions licensed or operated by the Department; and generally relating to
7 sexual activity between employees of the Department ~~or of licensees of the~~
8 Department and individuals ~~provided services at certain~~ confined in institutions
9 and facilities for juveniles.

10 BY repealing and reenacting, with amendments,
11 Article 27 - Crimes and Punishments
12 Section 464G
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1999 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 27 - Crimes and Punishments**

4 464G.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) "Correctional employee" means:

7 (i) A correctional officer, as defined in § 8-201 of the Correctional
8 Services Article; or

9 (ii) A head or deputy head of a correctional facility, including a
10 sheriff, warden, superintendent, or any person having an equivalent title who is
11 appointed or employed to supervise a correctional facility.

12 (3) "Inmate" means a person who is incarcerated in a State or local
13 correctional facility or a community adult rehabilitation center.

14 (b) (1) A correctional employee may not engage in vaginal intercourse or a
15 sexual act with an inmate.

16 (2) AN EMPLOYEE OF THE DEPARTMENT OF JUVENILE JUSTICE OR OF A
17 LICENSEE OF THE DEPARTMENT OF JUVENILE JUSTICE MAY NOT ENGAGE IN
18 VAGINAL INTERCOURSE OR A SEXUAL ACT WITH AN INDIVIDUAL ~~WHO RECEIVES~~
19 ~~SERVICES AT~~ CONFINED IN A CHILD CARE INSTITUTION LICENSED BY THE
20 DEPARTMENT OF JUVENILE JUSTICE, A DETENTION CENTER FOR JUVENILES, OR A
21 FACILITY FOR JUVENILES LISTED IN ARTICLE 83C, § 2-117(A)(2) OF THE CODE.

22 (c) A person who violates this section is guilty of a misdemeanor and on
23 conviction is subject to a fine of not more than \$3,000 or imprisonment for not more
24 than 3 years or both.

25 (d) A sentence imposed for violation of this section may be separate from and
26 consecutive to or concurrent with a sentence for any other offense under this
27 subheading.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2000.

